

REMARKS

Reconsideration is respectfully requested.

5 Claims 1-35 are pending. Claims 1-14 have been rejected. Claims 15-35 have been withdrawn from consideration as non-elected. Claims 1 and 14 have been amended. Basis for these amendments can be found in the present application on page 7, lines 1-14 and page 13, lines 31-32.

10 Claims 1-14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Otaki et al. (US 6,849,149) in view of Schaefer et al.(US 2004/0003638 A1).

As amended, the present invention relates to a durable printed composite material, comprising:

- 15 a) a printable layer having a viewing surface and a printed surface, wherein an image is printed on the printed surface, said printable layer comprising a transparent or translucent material;
- b) a metallic layer having an inner surface and an outer surface,
20 said inner surface of said metallic layer providing a reflective sheen background, said reflective sheen background being visible through at least a portion of said printable layer; and
- c) an adhesive layer adhered between the inner surface and the printed surface such that at least a portion of said metallic layer is visible through the printable layer.

25 In contrast, Otaki et al. teaches a transparent protective layer, a hologram, a transparent adhesive, recorded information, and a transparent film. There is nothing like a metallic layer in Otaki. Schaefer is even further from a metallic layer, teaching a method of impressing holographic images onto sports equipment.
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Therefore, while the layers around the hologram are arguably analogous to the above-described layers of the presently claimed application, there is nothing analogous between the hologram of Otaki and the metallic layer of the presently claimed application.

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Otaki describes its hologram as either a volume hologram or relief hologram. According to Otaki, column 15, lines 5-12, the volume hologram achieves its hologram effect by forming interference light by interference of object light with reference light. This is recorded on a photosensitive material having a thickness which is sufficiently larger than interference fringe spacings. Thus the three-dimensional structure of inference fringes is recorded. By this means the distinctive three-dimensional image of a hologram is formed.

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Otaki describes the materials that can be used to form its hologram as follows: conventional hologram recording materials such as silver salt materials, bichromated gelatin emulsions, photopolymerizable resins, and photocrosslinkable resins (Otaki, column 15, lines 33-36).

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From the descriptions from Otaki above, it can be seen that the Otaki hologram is neither a metallic layer, nor does it have a reflective sheen. The Otaki hologram instead diffracts outside light so that a three-dimensional-appearing image is recorded on a photosensitive material and is conveyed to the eye of the viewer.

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Essentially, the materials of the Otaki hologram are practically the same as the kinds of materials used to make conventional photographic film. These materials taken together or separately are not the materials that would be used to constitute a metallic layer.

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Based on the arguments and amendments above, which come down to the fact that a metallic layer is readily distinguishable from a hologram, the applicants respectfully assert that there is no basis for a 103(a) rejection based on a combination of Otaki and Schaefer. Neither the individual references nor a

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combination of them teach anything about a metallic layer by itself or placed next to a printable layer and an adhesive layer. On this basis, the presently claimed invention is distinguishable from the combination of Otaki and Schaefer, and is clearly not suggested by them.

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In view of the above amendments and arguments, the applicants respectfully request that the above rejections be withdrawn.

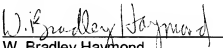
Respectfully submitted,

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Kasperchik

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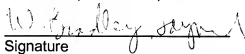
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